

**Meeting Minutes**  
**Ladue Storm Water Advisory Committee**  
**Thursday June 16, 2022 8:00 a.m.**

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Chairman Lloyd Palans called the meeting to order at 8:01 a.m.

The following members were present:

Lloyd Palans, Jim Adams, Maryann Rober, Scott Solsvig, and *via ZOOM* Robert Mueller

Also present:

H.R. Green representatives: Josiah Holst, Project Manager, Denny Welker, Project Engineer, and Omar Norman, Construction Manager

Anne Lamitola, Public Works Director; Amanda Griffin and Mark Koester, Storm Water Engineers; Councilman Bill Brennan; Mayor Spewak, and Lori Mullins, Deputy City Clerk

Residents:

Mr. Mark Malone, 49 Willow Hill

*Via ZOOM:*

Mr. Frederick Stivers, 17 Willow Hill

Mr. Chris Bade, 11 Lorenzo Lane

Mr. Tom Valvo, 53 Willow Hill

Mr. Robert Linden, 57 Willow Hill

Mr. Todd Miltenberger, 34 Willow Hill

Mr. James Howe 30, Loren Woods

Ms. Laura Clark 63, Loren Woods

Mr. Palans gave direction to the Committee, staff, and residents wishing to speak during the Public Forum.

Adoption of the Agenda

The agenda was adopted upon motion by Mr. Adams and second by Ms. Rober.

Approval of the Minutes from the March 3, 2022 Meeting

The minutes were approved upon motion by Mr. Solsvig and second by Ms. Rober.

Storm Water Management Program Budget

City of Ladue latest Collector's Report for the Period Ending April 30, 2022. The activity for April 2022 is **\$65,145.90** vs **\$109,772.35** for April 2021; an unfavorable variance of \$44,626.45 or 40.65%. Year to Date activity is **\$384,452.93** vs **\$410,879.57**: an unfavorable variance of \$26,426.64 or 6.43%.

Storm Water Management Program/2019 Five Year Implementation Program o Project Status Update:

Robin Hill Lane - McKnight Lane Bank Stabilization Project (1618)

Mr. Koester updated the Committee on the Robin Hill Lane - McKnight Lane Bank Stabilization Project. Construction continues despite weather delays and interruptions. The contractor is wrapping up cul-de-sac paving of Brookside Lane. Miscellaneous items of work and "punch list" items are expected to be completed in June. The last items for completion will be staining the triple box culvert headwalls and the five visible feet of the culvert sidewalls to make the project more aesthetically pleasing and address some resident concerns.

City Council approved an additional \$25,000 in contingency funds to complete culvert staining and finalizing inadvertent complications. A dditional funds are not anticipated.

Deerfield-Wakefield Stormwater Infrastructure Project

Easement binders have been distributed to all residences and preparation is underway for the remaining subdivision easement binders. Two easement binders have been signed. Individual stakeholder meetings are ongoing. Phase I construction is projected to begin in April 2023 at the earliest and is subject to acquisition of all Phase I easements. To date, one resident has stated they will not sign an easement, but that has not been received in writing. The project can be modified to work around that particular parcel.

Willow Hill Stormwater Infrastructure Project (1614A)

Infrastructure detailed in the plans has been installed.

Asphalt pavement reconstruction and asphalt driveway approach installation are underway in Willow Hill. Two Willow Hill locations will receive additional private drains. Concrete curb and driveway approach installation is ongoing in Loren Woods.

Bi-State was granted an extension to July 1 to reach substantial completion in Willow Hill and July 15 to reach substantial completion in Loren Woods. The following challenges have impacted the project budget and schedule, resulting in construction delays:

- Unforeseen utility relocations including storm sewer, sanitary sewer, water main, and gas main conflicts as well as numerous service line conflicts
- Unsuitable soil conditions that required extraordinary measures to support the excavations necessary to install the sewer work
- Unsuitable subgrade exposed during full depth pavement reconstruction required remediation; this is ongoing in Willow Hill
- Storm sewer structure elevation adjustments to ensure proper drainage
- Removal of unforeseen concrete in areas where sewers require installation
- Rework of driveway aprons to ensure proper installation and drainage to accomplish the overall goals of the project.

Willow Hill asphalt road work, Loren Woods concrete curb, driveway apron, and asphalt road work, landscaping and punch list still are underway.

The Bi-State Utilities construction contract: current contract value: \$2,110,861.36; the contingency fund balance: \$21,090.64; paid-to-date: \$1,257,973.15

The HR Green construction phase services contract: current contract value: \$255,116.20; paid-to-date: \$155,620.88

Bi-State Utilities has submitted a round of change orders requesting \$153,671.72 in additional payment which consist of fourteen requests generally related to unforeseen conditions, utility conflicts, unsuitable soil. The City has committed to additional landscaping at 49 Willow Hill in the amount of \$5,829.00. The construction administrator and City staff are reviewing the requests. The City has been approached regarding a unit price increase for asphalt.

**City staff is requesting an increase in contingency of \$153,300.26, reflecting a 7.5% increase.** Raising contingency funds from 5% to 12.5% of the value of the original construction contract. Ten percent contingency is in alignment with industry standards. This request would increase the total contingency by \$153,300.26 to \$255,320.26, with a balance remaining of \$174,390.90.

Mr. Adams moved the committee make a recommendation to the City Council to consider an increase in the contingency fund of 7.5%. The motion passed unanimously upon second by Mr. Solsvig.

Mr. Marchesi, Bi-State Utilities Project Manager reported the increase in cost of asphalt, and the increase in fuel cost are driving the request.

Chairman Palans shared the Committee's limited authority as an advisory committee to make recommendations to the City Council for their consideration. Mr. Palans moved that the Committee make a recommendation to be delivered to council for their consideration of the request and appropriate action on Mr. Marchesi and Bi-state Utilities request as the Council deems appropriate. The motion passed unanimously upon second by Mr. Adams.

#### Public Forum

The residents listed above relayed the following:

- Unprepared for the magnitude of the project
- Dissatisfaction with planning and execution
- Utility Conflicts were abundant
- Driveway aprons that were replaced had to be reconstructed
- Explanations about the project did not prepare residents for the execution phase
- Slow resolutions after conflicts
- Communication from the City
- Conflicting communication between the City and the contractor; for example, driveway access and street parking issues.
- Number of trucks and construction equipment on the road was significant.
- Road not drivable at times resulting in damage to resident's vehicles
- Trailers, trucks, and equipment on private property
- Implementation to date is not acceptable- Video shared of water flowing through front yard over curb
- Request for paving on both ends of the project, Loren Woods

- Breakdown of communication at the contractor level
- Anne and Amanda have helped
- No notification of whether or not workers will show up on any particular day
- Question qualifications of designers and project management team
- Safety concerns re: gas line breaks on Loren Woods; Project Manager should have all residents phone and email addresses
- One way in and out/trucks caused damage to the pavement throughout subdivisions
- Hardship on the elderly, parents with young children, and general walkability of the neighborhood
- Need for post construction to return properties to their former state
- Request city staff to check with each resident to reconcile damages

Project Manager, Josiah Hoist, HR Green thanked the residents for their sharing their issues and experience and then briefly explained the challenge of design and construction in a 60–80-year-old subdivision with utility lines in place and no stormwater infrastructure. Although the utility lines are identified, the information is not 100% accurate. It is extremely expensive to move all utilities and many relocations would have been unnecessary and the known conflicts were addressed before construction. Many issues have been addressed; however, several are still on the list to be resolved. A new punch list will be developed as we move forward with the project. There is a process to follow and reasons for difficulties. We all want a successful completion.

Ms. Lamitola, Director of Public Works, stated that MSD is the storm water authority for the region. In 2004 the ½ cent sales tax was passed to address stormwater issues in the City with the intent of addressing stormwater issues on public right-of-way. Fortunately, Federal funding was obtained covering 80% of the cost of replacing bridges through the City of Ladue. The Willow Hill Stormwater Infrastructure project is second in size only to the McKnight Road bridge replacement, sidewalk, and roadway rehabilitation project. Stormwater Funds were accumulating from 2004-2015. Under the leadership of Mayor Spewak, the City decided to undertake a comprehensive stormwater program starting with a stormwater needs assessment. HR Green was the consultant that assisted the City and was selected by following state law and Federal Law, the Brooks Act, which requires a qualifications-based selection (QBS) process that involves issuing a request for qualifications (RFQ), to hire consultants. During the Stormwater Needs Assessment, 1,000 problem points were identified throughout the City. Public meetings were held. A heat map was created, and a 2016 Master Plan of fifty-five projects totaling \$115,000,000 as adopted. The Ordinance was created, at the recommendation of the Stormwater Advisory Committee, who set up the scoring criteria. The implementation plan was approved in 2017 and 5 projects were identified. Willow Hill was included in the initial implantation plan because the benefit cost ratio placed it near the top of the list. Thus far, one project has been completed, two are nearing completion of the construction phase, one was tabled, and one is in design.

The implementation plan began after another round of RFQ to hire the most qualified consultants. A committee reviewed and selected the consultants for various projects. Public meetings were held, renderings were provided. Covid had an impact on public engagement. We are learning through the implementation of these projects and want to improve the public engagement as we move forward.

Between acquiring easements and the start of construction, Pete Merten retired, and Amanda Griffin stepped in during the transition. In terms of construction delivery, the City followed the Design, Bid and Build method. Municipalities operate in a low bid environment and Bistate was the low bid. References were checked and minimum bonding ensured.

There have been issues during constructions. Many issues brought up today will be corrected through grading. The roadway itself is part of the stormwater conveyance system. Final grading is necessary to ensure the water flows to the inlets. City is aware of many of the outstanding issues and the City proposes creation of a spreadsheet to aid in the punch list creation and completion of the project. The City will go back and ensure any damage is addressed. Residents can continue to attend Stormwater Advisory Committee meetings which are open to the public, and everyone is encouraged to attend to voice concerns.

Access to both neighborhoods has been particularly challenging due to the one-way in and out for both Willow Hill and Loren Woods. Installing the infrastructure, with equipment, has been challenging. The City will apply lessons learned from this project in moving forward. The City could consider constructing a bypass road for workers and equipment for future projects or shuttling construction personnel from off-site to the construction zone.

#### Committee Response

Mr. Solsvig stated the discussion has been extremely helpful today. Information gained from utility companies' inaccuracies ; other issues need to be addressed. We have heard a variety of solutions to the problems. The ability to have these conversations. Grateful that we are nearing the finish line. We look forward to coming to the most positive outcomes that are possible due to complexities of the project.

#### Resident's shared:

Residents appreciate the leadership; the efforts are not wasted. Next projects gaining from knowledge of this project is something positive.

Would appreciate a chain of command of communications in the event of an emergency such as a house filling with natural gas. Adding homeowners contact information after calling Spire and the Fire Department.

Mr. Palans thanked the residents for their meaningful comments.

Mr. Palans moved the Committee make a recommendation to City Council to address the concerns that are in the public interest that have been voiced today to see if they may be addressed. The motion carried unanimously upon second by Mr. Solsvig.

#### Small Project Storm Water Grant Program

Mr. Koester reported one application is in process.

#### MSD/Deer Creek OMCI Taxing Subdistrict

Mr. Koester reported MSD will introduce an ordinance to their Board of Trustees in July for adoption in August for reimbursement of 2022 funds. A resolution will be presented to the City Council in July for the intergovernmental agreement with MSD. An as-built survey of the Robin Hill Lane – McKnight Lane Bank Stabilization project is proceeding to obtain MSD construction

approval and reimbursement of 2021/2022 funds bringing approximately \$600,000 back to the City.

Other Matters Deemed Appropriate

Ms. Lamitola reported a funding opportunity for Storm Water through the American Rescue Plan (ARPA) Funding is available through the state; administered by the Missouri Department of Natural Resources. Notice of the funding opportunity has been issued. The applications are due on July 14<sup>th</sup> which is before the next City Council meeting. There is no cost to apply for funds and City staff proposed that the application be submitted for the Deerfield/Wakefield project.

Mr. Adams move the Committee recommend the City Council pursue the ARPA funding opportunity. The motion passed unanimously upon second by Ms. Rober.

Schedule next meeting

The next meeting date will be September 29<sup>th</sup>.

Any comments or concerns regarding the projects or punch list please email Anne and Amanda.

Discussion ensued regarding additional paving, cost share options.

Adjournment

The meeting adjourned at 9:41a.m. upon motion by Mr. Adams and second by Ms. Rober.



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Mr. Lloyd Palans, Chairman